

**FILED****FILED**FEB 20 2008 **TRANSFER OF JURISDICTION**

FEB 22 2008

**DOCKET NUMBER (Tran. Court)**

0972 2:04CR00218-01

**DOCKET NUMBER (Rec. Court)**

0972 2:04CR00218-01

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIACLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**NAME AND ADDRESS OF SUPERVISED  
RELEASEE**Josiah Elliott Marquez  
San Geronimo, California (City/State only)**DISTRICT**Eastern District  
of California**DIVISION**

Northern

**NAME OF SENTENCING JUDGE**Hon. Morrison C. England, Jr.  
United States District Judge**DATES OF  
SUPERVISED  
RELEASE:****FROM**

07/27/2007

**TO**

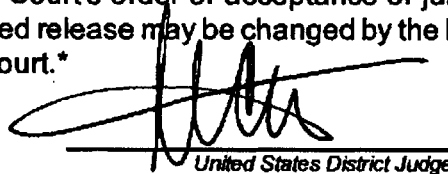
07/26/2011

**OFFENSE** 21 USC 846, 841(a)(1) - Conspiracy to Manufacture, Distribute and Possess With Intent to  
Distribute Marijuana (Class B Felony)**PART 1 - ORDER TRANSFERRING JURISDICTION****UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA**

IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the supervised releasee named above be transferred with the records of the Court to the United States District Court for the NORTHERN DISTRICT OF CALIFORNIA upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.\*

10.17.2007

Date


  
United States District Judge

**RESTITUTION:** If this offender has an order of restitution which is to be paid jointly and severally, the offender shall send payments to the sentencing district Court Clerk's Office and no financial record shall be created in the receiving district.

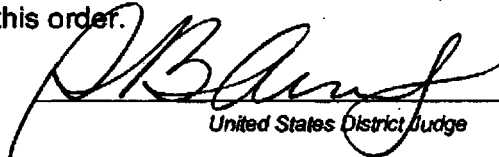
\*This sentence may be deleted in the discretion of the transferring Court.

**PART 2 - ORDER ACCEPTING JURISDICTION****UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA**

IT IS HEREBY ORDERED that jurisdiction over the above-named supervised releasee be accepted and assumed by this Court from and after the entry of this order.

10/31/07

Effective Date


  
United States District Judge

CC: United States Attorney  
FLU Unit-United States Attorney's Office  
Fiscal Clerk-Clerk's Office

McGREGOR W. SCOTT  
United States Attorney  
PHILIP A. FERRARI  
Assistant U.S. Attorney  
501 I Street, Suite 10-100  
Sacramento, California 95814  
Telephone: (916) 557-2744

I hereby certify that the annexed  
instrument is a true and correct copy of  
the original on file in my office.

ATTEST: **VICTORIA C. MINOR**

Clerk, U. S. District Court  
Eastern District of California

By [Signature] Deputy Clerk

Dated 2-21-08

**ORIGINAL  
FILED**

NOV 10 2008

CLERK, U. S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BY

DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	CR No. S-04-218 MCE
	)	
Plaintiff,	)	VIOLETIONS: 21 U.S.C. §§ 846 and
	)	841(a)(1) - Conspiracy to
v.	)	Manufacture, Distribute, and
	)	Possess with Intent to
JOSHIAH ELLIOT MARQUEZ,	)	Distribute Marijuana; 21 U.S.C.
aka Joe Marquez;	)	\$ 856 - Maintaining a Place for
CARRIE MARIE SULAK;	)	Purpose of Manufacture of
NATHAN JOHN McALLISTER; and	)	Marijuana (2 Counts); 21 U.S.C.
JOSEPH WILLIAM McALLISTER	)	\$ 841(a)(1) - Possession of
	)	Marijuana with Intent to
Defendants.	)	Distribute (2 Counts)

S U P E R S E D I N G I N D I C T M E N T

COUNT ONE: [21 U.S.C. §§ 846 and 841(a)(1) - Conspiracy to  
Manufacture, Distribute, and Possess with Intent to  
Distribute Marijuana]

The Grand Jury charges: T H A T

JOSHIAH ELLIOT MARQUEZ,  
aka Joe Marquez;  
CARRIE MARIE SULAK;  
NATHAN JOHN McALLISTER; and  
JOSEPH WILLIAM McALLISTER,

defendants herein, beginning at a time unknown to the Grand Jury,  
but no later than on or about May 4, 2004, and continuing  
thereafter to on or about May 4, 2004, in Nevada County, State

1 and Eastern District of California, and elsewhere, did knowingly  
2 and intentionally conspire with each other and with other persons  
3 unknown to the Grand Jury, to manufacture, distribute, and  
4 possess with intent to distribute at least 100 marijuana plants,  
5 a Schedule I controlled substance, in violation of Title 21,  
6 United States Code, Sections 846 and 841(a)(1).

7 COUNT TWO: [21 U.S.C. § 856 - Maintaining a Place For the  
8 Purpose of Manufacturing, Storing, and  
Distributing Marijuana]

9 The Grand Jury further charges: T H A T

10 JOSIAH ELLIOT MARQUEZ,  
11 aka Joe Marquez;  
12 CARRIE MARIE SULAK; and  
JOSEPH WILLIAM McALLISTER,

13 defendants herein, on or about May 4, 2004, in the County of  
14 Nevada, State and Eastern District of California, to wit: at  
15 14873 Donnington Lane, Truckee, California, did knowingly  
16 maintain a place for the purpose of manufacturing, storing, and  
17 distributing marijuana, a Schedule I controlled substance, in  
18 violation of Title 21, United States Code, Section 856.

19 COUNT THREE: [21 U.S.C. § 841(a)(1) - Possession with Intent to  
20 Distribute Marijuana]

21 The Grand Jury further charges: T H A T

22 CARRIE MARIE SULAK,  
23 defendant herein, on or about May 4, 2004, in the County of  
24 Nevada, State and Eastern District of California, to wit: at  
25 14873 Donnington Lane, Truckee, California, did knowingly and  
26 intentionally possess with intent to distribute at least 50  
27 marijuana plants, a Schedule I controlled substance, in violation  
28 of Title 21, United States Code, Section 841(a)(1).

1 COUNT FOUR: [21 U.S.C. § 856 - Maintaining a Place For the  
2 Purpose of Manufacturing, Storing, and  
Distributing Marijuana]

3 The Grand Jury further charges: T H A T

4 JOSIAH ELLIOT MARQUEZ,  
5 aka Joe Marquez; and  
NATHAN JOHN McALLISTER,

6 defendants herein, on or about May 4, 2004, in the County of El  
7 Dorado, State and Eastern District of California, to wit: at 9170  
8 Scenic Drive, Meeks Bay, California, did knowingly maintain a  
9 place for the purpose of manufacturing, storing, and distributing  
10 marijuana, a Schedule I controlled substance, in violation of  
11 Title 21, United States Code, Section 856.

12 COUNT FIVE: [21 U.S.C. § 841(a)(1) - Possession with Intent to  
13 Distribute Marijuana]

14 The Grand Jury further charges: T H A T

15 JOSIAH ELLIOT MARQUEZ,  
16 aka Joe Marquez; and  
NATHAN JOHN McALLISTER,

17 defendants herein, on or about May 4, 2004, in the County of El  
18 Dorado, State and Eastern District of California, to wit: at 9170  
19 Scenic Drive, Meeks Bay, California, did knowingly and  
20 intentionally possess with intent to distribute at least 100  
21 marijuana plants, a Schedule I controlled substance, in violation  
22 of Title 21, United States Code, Section 841(a)(1).

23 SENTENCING ALLEGATIONS

24 With respect to Count One of this Superseding Indictment,  
25 defendant JOSIAH ELLIOT MARQUEZ was an organizer or leader of a  
26 criminal activity that involved five or more participants or was  
27 otherwise extensive;

28 With respect to Count One of this Superseding Indictment,


1 the offense involved at least 200 marijuana plants;

2 With respect to Counts Two and Three of this Superseding  
3 Indictment, the offenses involved at least 50 marijuana plants;  
4 and

5 With respect to Counts Four and Five of this Superseding  
6 Indictment, the offenses involved at least 200 marijuana plants.

7  
8  
9 A TRUE BILL.

10  
11 FOREPERSON \_\_\_\_\_

12  
13   
14 \_\_\_\_\_  
15 McGREGOR W. SCOTT  
16 United States Attorney  
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# United States District Court

## Eastern District of California

UNITED STATES OF AMERICA  
v.  
JOSHIAH ELLIOT MARQUEZ

### JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: **2:04CR00218-001**

Tim Warriner  
1725 Capitol Avenue  
Sacramento, CA 95814  
Defendant's Attorney

**FILED**

### THE DEFENDANT:

JAN 27 2006

- ☒ pleaded guilty to count: 1 of the Superseding Indictment.  
☐ pleaded nolo contendere to counts(s) \_\_\_ which was accepted by the court.  
☐ was found guilty on count(s) \_\_\_ after a plea of not guilty.

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DEPUTY CLERK

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 U.S.C. 846, 841(a)(1)	Conspiracy to Manufacture, Distribute and Possess With Intent to Distribute Marijuana	05/04/2004	1

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on counts(s) \_\_\_ and is discharged as to such count(s).  
☒ Counts 2 and 5 of the Superseding Indictment are dismissed on the motion of the United States.  
☐ Indictment is to be dismissed by District Court on motion of the United States.  
☒ Appeal rights given. ☒ Appeal rights waived.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office.

ATTEST: **VICTORIA C. MINOR**

Clerk, U. S. District Court  
Eastern District of California

By [Signature]  
Deputy Clerk  
Dated 2-21-08

1/17/2006  
Date of Imposition of Judgment

[Signature]  
Signature of Judicial Officer

**MORRISON C. ENGLAND, JR.**, United States District Judge  
Name & Title of Judicial Officer

January 27, 2006  
Date

AO 245B-CAED (Rev. 3/04) Sheet 2 - Imprisonment

CASE NUMBER: 2:04CR00218-001  
 DEFENDANT: JOSIAH ELLIOT MARQUEZ

Judgment - Page 2 of 6

## IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 36 months.

- ☒ The court makes the following recommendations to the Bureau of Prisons:  
 The Court recommends that the defendant be incarcerated in Sheridan, Oregon, but only insofar as this accords with security classification and space availability. The Court recommends the defendant participate in the 500-Hour Bureau of Prisons Substance Abuse Treatment Program.
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district.  
☐ at \_\_\_ on \_\_\_\_.  
☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:  
☐ before \_ on \_\_\_\_.  
☐ as notified by the United States Marshal.  
☐ as notified by the Probation or Pretrial Services Officer.  
 If no such institution has been designated, to the United States Marshal for this district.

## RETURN

I have executed this judgment as follows:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
 UNITED STATES MARSHAL

By \_\_\_\_\_  
 Deputy U.S. Marshal



AO 245B-CAED (Rev. 3/04) Sheet 3 - Supervised Release

CASE NUMBER: 2:04CR00218-001  
 DEFENDANT: JOSIAH ELLIOT MARQUEZ

Judgment - Page 3 of 6

## SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 48 months.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed four (4) drug tests per month.

- ☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

## STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere, and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.



CASE NUMBER: 2:04CR00218-001  
DEFENDANT: JOSIAH ELLIOT MARQUEZ

Judgment - Page 4 of 6

### **SPECIAL CONDITIONS OF SUPERVISION**

1. The defendant shall submit to the search of his person, property, home, and vehicle by a United States Probation Officer, or any other authorized person under the immediate and personal supervision of the probation officer, based upon reasonable suspicion, without a search warrant. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
2. The defendant shall provide the probation officer with access to any requested financial information.
3. As directed by the probation officer, the defendant shall participate in a correctional treatment program (inpatient or outpatient) to obtain assistance for drug or alcohol abuse.
4. As directed by the probation officer, the defendant shall participate in a program of testing (i.e. breath, urine, sweat patch, etc.) to determine if he has reverted to the use of drugs or alcohol.
5. The defendant shall abstain from the use of alcoholic beverages and shall not frequent those places where alcohol is the chief item of sale.
6. As directed by the probation officer, the defendant shall participate in a co-payment plan for treatment or testing and shall make payment directly to the vendor under contract with the United States Probation Office of up to \$25 per month.
7. The defendant shall register, as required in the jurisdiction in which he resides, as a drug offender.
8. The defendant shall submit to the collection of DNA as directed by the probation officer.

AO 245B-CARD (Rev. 3/04) Sheet 5 - Criminal Monetary Penalties

CASE NUMBER: 2:04CR00218-001  
DEFENDANT: JOSIAH ELLIOT MARQUEZ

Judgment - Page 5 of 6

**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the Schedule of Payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$ 100	\$	\$

☐ The determination of restitution is deferred until \_\_. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
----------------------	--------------------	----------------------------	-------------------------------

<u>TOTALS:</u>	\$ ____	\$ ____	
----------------	---------	---------	--

☐ Restitution amount ordered pursuant to plea agreement \$ \_\_\_\_

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ The interest requirement is waived for the ☐ fine ☐ restitution

☐ The interest requirement for the ☐ fine ☐ restitution is modified as follows:

\*\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245B-CAED (Rev. 3/04) Sheet 6 - Schedule of Payments

CASE NUMBER: 2:04CR00218-001  
 DEFENDANT: JOSIAH ELLIOT MARQUEZ

Judgment - Page 6 of 6

## SCHEDULE OF PAYMENTS

Payment of the total fine and other criminal monetary penalties shall be due as follows:

- A ☐ Lump sum payment of \$ \_\_\_ due immediately, balance due
- ☐ not later than \_\_\_, or  
☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☒ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal \_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_ over a period of \_\_ (e.g., months or years), to commence \_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal \_\_ (e.g., weekly, monthly, quarterly) installments of \$ \_\_\_ over a period of \_\_ (e.g., months or years), to commence \_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within \_\_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate:

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

PROB22\_OUT

**U.S. District Court  
Eastern District of California - Live System (Sacramento)  
CRIMINAL DOCKET FOR CASE #: 2:04-cr-00218-MCE-1  
Internal Use Only**

Case title: USA v. Marquez, et al

Date Filed: 06/03/2004

Date Terminated: 01/17/2006

Assigned to: Judge Morrison C.  
England, Jr

**Defendant (1)****Josiah Elliot Marquez***TERMINATED: 01/17/2006**also known as***Joe Marquez***TERMINATED: 01/17/2006*

represented by **Timothy E. Warriner**  
Law Office of Timothy E.  
Warriner  
813 6th Street  
Suite 450  
Sacramento, CA 95814  
(916) 443-7141  
Fax: (916) 441-0970  
Email: tew@warrinerlaw.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: CJA Appointment*

**Pending Counts**

21:846=MD.F AND 21:841(A)(1)  
CONSPIRACY TO  
MANUFACTURE,  
DISTRIBUTE, AND POSSESS  
WITH INTENT TO  
DISTRIBUTE MARIJUANA  
(1s)

**Highest Offense Level**  
**(Opening)**

Felony

**Disposition**

36 months imprisonment with  
recommendation to Sheridan, OR  
and a 500-hour drug program; 48  
months TSR; \$100 S/A; Fine  
Waived

I hereby certify that the annexed  
instrument is a true and correct copy of  
the original on file in my office.

ATTEST: **VICTORIA C. MINOR**

Clerk, U. S. District Court  
Eastern District of California

By   
Deputy Clerk

Dated 2-27-08

**Terminated Counts****Disposition**

21:846=MD.F CONSPIRACY  
TO MANUFACTURE  
DISTRIBUTE AND POSSESS  
WITH INTENT TO  
DISTRIBUTE MARIJUANA  
(1)

DISMISSED

21:856=MM.F MAINTANING A  
PLACE FOR THE PURPOSE OF  
MANUFACTURING AND  
DISTRIBUTING MARIJUANA  
(2)

DISMISSED

21:856=MM.F MAINTAINING  
A PLACE FOR THE PRUPOSE  
OF MANUFACTURING,  
STORNING, AND  
DISTRIBUTING MARIJUANA  
(2s)

DISMISSED

21:841B=MD.F POSSESSION  
WITH INTENT TO  
DISTRIBUTE MARIJUANA  
(4)

DISMISSED

21:856=MM.F MAINTAINING  
A PLACE FOR THE PURPOSE  
OF MANUFACTURING,  
STORING, AND  
DISTRIBUTING MARIJUANA  
(4s)

DISMISSED

21:856=MM.F MAINTAINING  
A PLACE FOR THE PURPOSE  
OF MANUFACTURING AND  
DISTRIBUTING MARIJUANA  
(5)

DISMISSED

21:841A=MD.F POSSESSION  
WITH INTENT TO  
DISTRIBUTE MARIJUANA  
(5s)

DISMISSED

**Highest Offense Level**

**(Terminated)**

Felony

**Complaints**

None

**Disposition****Plaintiff**

USA

represented by **Philip A Ferrari**

United States Attorney

501 I Street

Suite 10-100

Sacramento, CA 95814

916-554-2700

Email: philip.ferrari@usdoj.gov

**LEAD ATTORNEY****ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
06/03/2004	<u>1</u>	INDICTMENT by US Attorney Philip A Ferrari Counts filed against Carrie Marie Sulak (2) count(s) 1, 2, 3, Josiah Elliot Marquez (3) count(s) 1, 2, 4, 5 (hk) (Entered: 06/04/2004)
06/03/2004		ARREST Warrant issued for Josiah Elliot Marquez by Magistrate Judge Gregory G. Hollows at NO BAIL (hk) (Entered: 06/04/2004)
07/14/2004	<u>7</u>	STIPULATION AND ORDER by Judge Morrison C. England Jr trial conf hrg and jury trial as to defendant Carrie Marie Sulak VACATED; status hearing set for 8:30 8/3/04 for Carrie Marie Sulak , T4 started for Carrie Marie Sulak, Josiah Elliot Marquez start date: 7/14/04 end date: 8/3/04 (cc: all counsel) - (hk) (Entered: 07/14/2004)
09/01/2004		LODGED Stipulation & Order vacating and resetting Status Conference for 10/5/04 (mm1) (Entered: 09/02/2004)
09/08/2004	<u>10</u>	STIPULATION AND ORDER by Judge Morrison C. England Jr status hearing reset for 8:30 10/5/04 for Carrie Marie Sulak , T4 started for all dfts start date: 9/8/04 end date: 10/5/04 (cc: all counsel) - (hk) (Entered: 09/08/2004)

10/08/2004	<u>11</u>	STIPULATION AND ORDER by Judge Morrison C. England Jr status hearing reset for 8:30 11/23/04 for Carrie Marie Sulak , T4 started for Carrie Marie Sulak, Josiah Elliot Marquez start date: 10/8/04 end date: 11/23/04 (cc: all counsel) - (hk) (Entered: 10/08/2004)
11/18/2004	12	SUPERSEDING indictment as to Josiah Elliot Marquez (1) count(s) 1s, 2s, 4s, 5s, Carrie Marie Sulak (2) count(s) 1s, 2s, 3s, Nathan John McAllister (3) count(s) 1, 4, 5, Joseph William McAllister (4) count(s) 1, 2 (nac) (Entered: 11/19/2004)
11/18/2004		ARREST Warrant issued for Josiah Elliot Marquez, Nathan John McAllister, Joseph William McAllister by Magistrate Judge Kimberly J. Mueller; NO BAIL (nac) (Entered: 11/19/2004)
11/22/2004	13	ARREST Warrant returned unexecuted for Josiah Elliot Marquez (hk) (Entered: 11/23/2004)
11/24/2004	<u>14</u>	STIPULATION AND ORDER by Judge Morrison C. England Jr status hearing reset for 8:30 1/4/05 for Carrie Marie Sulak , T4 started for all dfts start date: 11/24/04 end date: 1/4/05 (cc: all counsel) - (hk) (Entered: 11/24/2004)
12/29/2004	27	CJA FORM 20 COPY 4 (Appointment of Counsel) atty Haltom appointed for dft Nathan McAllister (hk) (Entered: 12/29/2004)
02/04/2005	● <u>30</u>	STIPULATION and PROPOSED ORDER to continue status conference to 3/8/05 by USA as to Carrie Marie Sulak, Josiah Elliot Marquez, Nathan John McAllister, Joseph William McAllister. (Ferrari, Philip) (Entered: 02/04/2005)
02/07/2005	● <u>31</u>	ORDER granting stipulation and proposed order as to Carrie Marie Sulak, Josiah Elliot Marquez, Nathan John McAllister, Joseph William McAllister re <u>30</u> Status Conference of 2/8/05 is vacated and reset for 3/8/2005 at 08:30 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr. signed by Judge Morrison C. England Jr. on 02/07/05. (Souvannarath, A) (Entered: 02/07/2005)
03/07/2005	● <u>34</u>	STIPULATION <i>between USA and defendants Nathan and Joseph McAllister continuing status conference from March 8 to April 12, 2005</i> by USA (Ferrari, Philip) (Entered: 03/07/2005)



03/30/2005	●39	MINUTES for proceedings held before Judge Kimberly J. Mueller: ARRAIGNMENT as to Josiah Elliot Marquez (1) Count 1,1s,2,2s,4,4s,5,5s held on 3/30/2005. INITIAL APPEARANCE as to Josiah Elliot Marquez held on 3/30/2005. Added attorney Timothy E Warriner for Josiah Elliot Marquez. Counsel appointed. Plea entered by Josiah Elliot Marquez (1) Count 1,1s,2,2s,4,4s,5,5s by Josiah Elliot Marquez Not Guilty on counts 1-5. Jury trial requested. Government moves for detention; submitted; defendant ordered detained. Status Conference set for 4/12/2005 at 08:30 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr.. Government Counsel Phil Ferrari present. Defense Counsel Tim Warriner present. Custody Status: in custody. Court Reporter/CD Number: CD #1. (Farnsworth, C) (Entered: 03/30/2005)
03/30/2005	●40	DETENTION ORDER as to Josiah Elliot Marquez signed by Judge Kimberly J. Mueller on 3/30/05. (Farnsworth, C) (Entered: 03/30/2005)
03/31/2005	●41	DETENTION ORDER as to Josiah Elliot Marquez, signed by Judge Kimberly J. Mueller on 3/30/05. (Kastilahn, A) (Entered: 03/31/2005)
03/31/2005	●42	ARREST WARRANT RETURNED Executed on 3/29/05 as to Josiah Elliot Marquez. (Krueger, M) (Entered: 04/01/2005)
04/12/2005	●43	MINUTES for proceedings held before Judge Morrison C. England Jr.:STATUS CONFERENCE as to Josiah Elliot Marquez, Nathan John McAllister, Joseph William McAllister held on 4/12/2005. T4 Start: 4/12/05 Stop: 5/24/05 Atty. Tim Warriner advises he's new to the case and requests for further status for 5/24/05, joined by all dfts. No objections by the Govt. It's so ordered. Status Conference set for 5/24/2005 at 08:30 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr. Government Counsel Phil Ferrari present. Defense Counsel Tim Warriner for dft Marquez; William Portanova for dft J. McAllister; Tim Warriner for Victor Haltom for dft N. McAllister present. Custody Status: All dfts are present. Dft Marquez is in custody.. Court Reporter: Diane Shepard. (Souvannarath, A) (Entered: 04/12/2005)
05/06/2005	48	(Court only) CJA 23 FINANCIAL AFFIDAVIT by Josiah Elliot Marquez. (Krueger, M) (Entered: 05/09/2005)

05/06/2005	● <u>49</u>	CJA 20 signed by Judge Kimberly J. Mueller on 05/06/05 as to Josiah Elliot Marquez: Appointment of Attorney Timothy E Warriner for Josiah Elliot Marquez. (Carlos, K) (Entered: 05/09/2005)
05/24/2005	● <u>54</u>	MINUTES for proceedings held before Judge Morrison C. England Jr.:STATUS CONFERENCE as to Josiah Elliot Marquez, Nathan John McAllister, Joseph William McAllister held on 5/24/2005. T4 Start: 5/24/05 Stop: 6/14/05. Parties request for further status. Court orders further status Conference set for 6/14/2005 at 08:30 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr.Government Counsel Phil Ferrari present. Defense Counsel Timothy Warriner for dft J. Marquez; William Portanova for dft J. McAllister; Victor Haltom for dft N. McAllister present. Custody Status: Dfts Marquez and Nathan McAllister are in custody. Dft Joseph McAllister is not in custody. All dfts are present. Court Reporter: Diane Shepard. (Souvannarath, A) (Entered: 05/25/2005)
06/14/2005	● <u>58</u>	MINUTES for proceedings held before Judge Morrison C. England Jr.:CHANGE of PLEA HEARING as to Josiah Elliot Marquez held on 6/14/2005. Dft is sworn. Dft waives his constitutional rights, the right to collaterally attack or appeal the sentence this Court may impose. Dft enters guilty plea to Count 1 of SS Indictment. Appeal rights given. Presentence Report is ordered. GUILTY PLEA ENTERED by Josiah Elliot Marquez (1) Guilty Count 1s. Judgment and Sentencing set for 8/23/2005 at 08:30 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr.Government Counsel Phil Ferrari present. Defense Counsel Timothy Warriner present. Custody Status: Dft is present; in custody. Court Reporter: Diane Shepard. (Souvannarath, A) (Entered: 06/14/2005)
06/14/2005	● <u>59</u>	PLEA AGREEMENT as to Josiah Elliot Marquez. (Krueger, M) (Entered: 06/15/2005)
06/15/2005	● <u>60</u>	SCHEDULE of DISCLOSURE for PSR as to Josiah Elliot Marquez. Plea Date: *6/14/05* Sentencing Date: *8/23/05* ** Correction Date: *8/16/05* Report Date: *8/9/05* Objection Date: *8/2/05* Proposed Date: *7/19/05* Copies: *AUSA - Defense Counsel - USPO* (Souvannarath, A) (Entered: 06/15/2005)
06/28/2005		(Court only) TERMINATE DEADLINES and HEARINGS as

		to Carrie Marie Sulak, Josiah Elliot Marquez, Nathan John McAllister, Joseph William McAllister: (Souvannarath, A) (Entered: 06/28/2005)
08/11/2005	● <u>69</u>	STIPULATION and PROPOSED ORDER (Warriner, Timothy) (Entered: 08/11/2005)
08/22/2005	● <u>70</u>	ORDER granting stipulation and proposed order as to Josiah Elliot Marquez re <u>69</u> Stipulation and Proposed Order (CR) filed by Josiah Elliot Marquez. The judgment and sentencing date of 8/23/05 is vacated and reset for 9/27/2005 at 08:30 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr. signed by Judge Morrison C. England Jr. on 8/19/05. (Souvannarath, A) (Entered: 08/22/2005)
09/19/2005	● <u>75</u>	MEMORANDUM by Josiah Elliot Marquez, Nathan John McAllister, USA <i>continuing hearings on Judgment and Sentencing to October 11, 2005</i> (Ferrari, Philip) (Entered: 09/19/2005)
09/19/2005		(Court only) RESET HEARINGS as to Josiah Elliot Marquez: Sentencing RESET for 10/11/2005 at 08:30 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr. (Krueger, M) (Entered: 09/21/2005)
10/09/2005	● <u>77</u>	STIPULATION and PROPOSED ORDER that the J & S be rescheduled by Nathan John McAllister (Attachments: # <u>1</u> Proposed Order)(Haltom, Victor) Modified on 10/11/2005 (Reader, L). (Entered: 10/09/2005)
10/14/2005	● <u>79</u>	ORDER granting stipulation and proposed order as to Josiah Elliot Marquez, Nathan John McAllister re <u>77</u> Stipulation and Proposed Order (CR) filed by Nathan John McAllister. The Judgment and Sentencing of 10/11/05 is vacated and reset for 1/17/2006 at 08:30 AM in Courtroom 3 (MCE) before Judge Morrison C. England Jr. signed by Judge Morrison C. England Jr. on 10/12/05. (Souvannarath, A) (Entered: 10/14/2005)
01/17/2006	● <u>94</u>	MINUTES for proceedings held before Judge Morrison C. England Jr.: SENTENCING held on 1/17/2006 for Josiah Elliot Marquez (1). Dft Sentenced on Count 1s to 36 months imprisonment with recommendation to Sheridan, OR and a 500-hour drug program; 48 months TSR; \$100 S/A; Fine Waived. Appeal rights given and waived. Motion for 5k.1 is Granted and is Order Sealed. Counts 1, 2, 2s, 4, 4s, 5, 5s, DISMISSED. DEFENDANT TERMINATED. Government

		Counsel Phil Ferrari present. Defense Counsel Timothy Warriner present. Custody Status: In Custody. Court Reporter: Diane Shepard. (Krueger, M) (Entered: 01/17/2006)
01/17/2006	● <u>96</u>	SEALED EVENT (Krueger, M) (Entered: 01/18/2006)
01/27/2006	● <u>98</u>	JUDGMENT and COMMITMENT as to Josiah Elliot Marquez signed by Judge Morrison C. England Jr. on 1/27/06. (Caspar, M) (Entered: 01/30/2006)
04/18/2006	● <u>111</u>	JUDGMENT RETURNED EXECUTED as to Josiah Elliot Marquez on 3/29/06. (Krueger, M) (Entered: 04/19/2006)
02/20/2008	● <u>116</u>	PROBATION JURISDICTION (PROBATION 22 Out) TRANSFERRED to Northern District of California as to Josiah Elliot Marquez signed by Judge Morrison C. England, Jr on 10/17/07. Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment and docket sheet. DEFENDANT TERMINATED. CASE CLOSED. (Kaminski, H) (Entered: 02/21/2008)